



# LEGISLATIVE BRANCH      CITY OF BINGHAMTON

Teri Rennia, City Council President  
Angela Holmes, City Clerk

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**MINUTES**  
**City Council Business Meeting**  
**Council Chambers, 38 Hawley Street, Binghamton, N.Y.**  
**Wednesday August 7, 2013**

**CALL TO ORDER**

Council President Rennia called the meeting to order at 6:32pm.

**PLEDGE OF ALLEGIANCE**

Council President Rennia led the Pledge of Allegiance.

**ROLL CALL**

**Present:** Jerry Motsavage, Joseph Mihalko, Teri Rennia, Lea Webb, Chris Papastrat, John Matzo, Bill Berg

**Absent:** None

**Also in attendance:** Kenneth J. Frank, Corporation Counsel; Angela Holmes, City Clerk; Jeremy Pelletier, Deputy City Clerk

**REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES**

Motion to approve the minutes from the City Council Business Meeting held on July 17, 2013.

Moved by Motsavage, seconded by Webb.

**Voice vote, none opposed.**

Motion to approve the minutes from the Municipal and Public Affairs Committee on July 30, 2013.

Moved by Motsavage, seconded by Bill.

**Voice vote, none opposed.**

**SET PUBLIC HEARING**

The Council of the City of Binghamton will hold a public hearing during the regular City Council Business Meeting on August 21, 2013 at 6:30pm, concerning "A Local Law establishing a home improvement tax exemption program". This meeting will be held in the City Council Chambers located at 38 Hawley Street, Binghamton, New York. For more information, please contact the City Clerk by phone at (607) 772-7005, or by email at [clerk@cityofbinghamton.com](mailto:clerk@cityofbinghamton.com).

*Notice of this public hearing will be published in the Press & Sun Bulletin on August 16, 2013.*

**POINT OF ORDER**

As a point of order, Council President Rennia stated the following:

For many years City Council has included a public comment period at its Business Meetings. The purpose of the public comment period has always been to encourage residents and those who own property or work in the City to express their views about City business. The opportunity to speak at City Council meetings is a privilege, not a right. City Council asks speakers to be respectful of this privilege.

One of the longstanding limitations on public comment is no electioneering. This rule has been consistently enforced because electioneering is not City business. While it is not always easy to



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differentiate between City business and electioneering, the City does not want its Business Meetings to become campaign stops and will enforce this limitation very strictly.

Lastly, in order to avoid the appearance of impropriety during this election season, I will step down from the President's Chair during Public Comment, and allow Council President Pro Tem Berg to facilitate this portion of the meeting.

Council President Rennia stepped down, and allowed Council President Pro Tem Berg to assume the President's Chair for the Public Comment portion of the meeting.

## **PUBLIC COMMENT/COMMUNICATIONS**

Barry Koffman, Kyle Washington, John Solak, Sharon Nieminski, Debra Hogan, Joshua DeMarree, Fritz Orzelek, Douglas Walter Drazen

## **POINT OF ORDER**

City Council President Rennia resumed her seat to conduct the remainder of the Business Meeting.

## **FIRST READING LEGISLATION**

### **Introductory Ordinance 13-38. Considered in Planning and Community Development, Chair: Webb**

An Ordinance authorizing various amendments to the Code of the City of Binghamton regarding description of uses and site plan review

*Note: City Council declared itself at lead agency at a Business Meeting held on May 22, 2013, along with declaring the legislation as an unlisted action, and approving a State Environmental Quality Review Act Negative Declaration. Note: Notice of public hearing was published in the Press & Sun Bulletin on July 12, 2013. A public hearing was held at the Business Meeting on July 17, 2013.*

Motion to approve legislation.

Moved by Webb, seconded by Motsavage.

### **Motion carried. Legislation adopted as Permanent Ordinance 13-49. (Vote 7-0)**

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None

### **Introductory Ordinance 13-53. Considered in Finance, Chair: Webb**

An Ordinance authorizing a transfer in the 2013 Phase III Remedial Project Budget for professional services at the Binghamton-Johnson City Joint Sewage Treatment Plant

Motion to approve legislation.

Moved by Webb, seconded by Motsavage.

### **Motion carried. Legislation adopted as Permanent Ordinance 13-50. (Vote 7-0)**

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None

### **Introductory Ordinance 13-54. Considered in Finance, Chair: Webb**

An Ordinance establishing a budget line in the 2013 Sewer budget and transferring funds thereto for the development of a Capacity, Management, Operation and Maintenance (CMOM) Plan

Motion to approve legislation.

Moved by Webb, seconded by Motsavage.



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**Motion carried. Legislation adopted as Permanent Ordinance 13-51. (Vote 7-0)**

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None

**Introductory Ordinance 13-55. Considered in Planning and Community Development, Chair: Webb**

An Ordinance authorizing the sale of 24 Livingston Street to Raja M. Tariq for \$17,500

Motion to approve legislation.

Moved by Webb, seconded by Motsavage.

**Motion carried. Legislation adopted as Permanent Ordinance 13-\_\_\_. (Vote 7-0)**

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None

Motion to hold legislation.

WB-CP

**Introductory Resolution 13-68. Considered in Finance, Chair: Webb**

A Resolution authorizing the Mayor to enter into Supplemental Agreement No. 4 with Savin Engineers for additional design and CA/CM work at the Binghamton-Johnson City Joint Sewage Treatment Plant

Motion to approve legislation.

Moved by Webb, seconded by Motsavage.

**Motion carried. Legislation adopted as Permanent Resolution 13-68. (Vote 7-0)**

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None

**Introductory Resolution 13-69. Considered in Finance, Chair: Webb**

A Resolution authorizing the Mayor to enter into an agreement with GHD for the development of a Capacity, Management, Operation and Maintenance (CMOM) Plan

Motion to approve legislation.

Moved by Webb, seconded by Motsavage.

**Motion carried. Legislation adopted as Permanent Resolution 13-69. (Vote 7-0)**

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None

**Introductory Resolution 13-70. Considered in Municipal and Public Affairs, Chair: Motsavage**

A Resolution approving the Roberson Memorial Inc's grant proposal submissions to the New York State Regional Economic Development Council

Motion to approve legislation.

Moved by Motsavage, seconded by Webb.

**Motion carried. Legislation adopted as Permanent Resolution 13-70. (Vote 7-0)**

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None

**Introductory Resolution 13-71. Considered in Municipal and Public Affairs, Chair: Motsavage**

A Resolution urging the New York State Office of Mental Health to not close inpatient services at the Greater Binghamton Health Center



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Motion to approve legislation.

Moved by Berg, seconded by Motsavage.

**Motion carried. Legislation adopted as Permanent Resolution 13-71. (Vote 7-0)**

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None

**Introductory Resolution 13-72. Considered in Municipal and Public Affairs, Chair: Motsavage**

A Resolution amending Permanent Resolution 12-90, regarding fireworks displays for the Binghamton Mets 2013 season

Motion to approve legislation.

Moved by Motsavage, seconded by Webb.

**Motion carried. Legislation adopted as Permanent Resolution 13-72. (Vote 7-0)**

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg

Nays: None

## **COMMUNICATIONS FROM COUNCIL MEMBERS**

Webb, Papastrat, Matzo, Berg, Motsavage, Mihalko, Rennia

## **ADJOURNMENT**

Motion to adjourn at 8:06pm.

Moved by Berg, seconded by Papastrat.

**Voice vote, none opposed.**